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5 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP  
6 A Limited Liability Partnership  
7 Including Professional Corporations  
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14 Attorneys for Defendants

15 UNITED STATES DISTRICT COURT  
16 CENTRAL DISTRICT OF CALIFORNIA  
17

18 TRAFFICSCHOOL.COM, INC., a  
19 California corporation; DRIVERS ED  
20 DIRECT, LLC., a California limited  
21 liability company,

22 Plaintiffs,

23 v.

24 EDRIVER, INC., ONLINE GURU, INC.,  
25 FIND MY SPECIALIST, INC., and  
26 SERIOUSNET, INC., California  
27 corporations; RAVI K. LAHOTI, an  
28 individual; RAJ LAHOTI, an individual,  
and DOES 1 through 10.

Defendants.

Case No. CV067561 PA (CWx)  
*The Hon. Percy Anderson*

**DECLARATION OF BRIAN M.  
DAUCHER IN SUPPORT OF EX  
PARTE APPLICATION FOR  
INTERIM STAY OF INJUNCTION  
AND MOTION TO STAY IN  
INJUNCTION**

Hearing Information – Motion for Stay:  
Date: October 20, 2008  
Time: 1:30 p.m.  
Crtrm.: 15

Complaint Filed November 28, 2006  
Trial Commenced: November 6, 2007

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1. I am an attorney at law, duly licensed to practice before all courts in the state of California. I am a partner in the law firm of Sheppard, Mullin, Richter & Hampton LLP, counsel of record for EDriver, Inc., Online Guru, Inc., Find My Specialist, Inc., SeriousNet, Inc., Ravi K. Lahoti and Raj Lahoti ("Defendants"), defendants in this matter. I have personal knowledge of the facts hereinafter stated and, if sworn as a witness, could and would testify competently thereto.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I executed this declaration on September 16, 2008 in Costa Mesa, California.

- 1 -

## **EXHIBIT A**

**Brian Daucher**

**From:** Mina Hamilton [HAMILTON@lbbslaw.com]  
**Sent:** Friday, August 29, 2008 12:52 PM  
**To:** Brian Daucher  
**Cc:** DAN DECARLO; DAVID MAKOUS; Ashley Merlo  
**Subject:** RE: DMV.ORG -Injunction

Brian,

Yes, our clients will oppose both the application and the motion on the basis that there are no legitimate grounds for a stay (or your client's appeal) and the interests of our clients and the public will not be served by any further delay.

As you know, there is no automatic stay period under rule 62(a)(1), so we trust your clients will indeed come into compliance today and before any order from Judge Anderson on these issues.

Regards,

Mina I. Hamilton, Esq.  
Lewis Brisbois Bisgaard & Smith LLP  
221 North Figueroa Street, Suite 1200  
Los Angeles, California 90012  
(213) 250-1800 (phone)  
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>>>

**From:** "Brian Daucher" <BDaucher@sheppardmullin.com>  
**To:** "Mina Hamilton" <HAMILTON@lbbslaw.com>  
**CC:** "Ashley Merlo" <AMerlo@sheppardmullin.com>  
**Date:** 8/29/2008 10:17 AM  
**Subject:** RE: DMV.ORG -Injunction

Mina,

The purpose of this email is to confer with you on our plan to file a motion to stay the injunction pending appeal (FRCP 62/FRAP 8). This will be accompanied by an ex parte to stay the injunction pending hearing of the motion to stay.

EXHIBIT A PAGE 2

8/29/2008

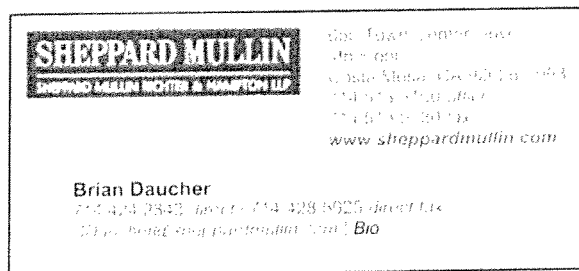
The grounds for these requests will be that there are legitimate questions on appeal both as to the scope/necessity of the injunction and the underlying finding of false advertising (standing, confusion, materiality, effect of unclean hands finding). These grounds have been spelled out in our prior filings, both in response to the proposed judgment, and in our prior motions and briefs.

We assume that your clients will oppose both the application and motion. Please confirm your position.

We are not sure when the application and motion will be filed, but will deliver the papers as soon as they are finished (probably early next week).

Pending an order from Judge Anderson on these matters, DMV.ORG still plans to come into compliance with the judgment today, as I indicated in my prior email, regards,

Brian.



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**From:** Mina Hamilton [mailto:HAMILTON@lbbslaw.com]

**Sent:** Thursday, August 28, 2008 5:04 PM

**To:** Brian Daucher

**Cc:** Dan DeCarlo; David Makous

**Subject:** DMV.ORG -Injunction

Hello Brian,

We trust you received the Court's issued August 26 Injunction which is effective immediately, and is also attached hereto.

We will be checking in the morning for compliance by your clients.

Sincerely,

Mina I. Hamilton, Esq.

EXHIBIT A PAGE 3

8/29/2008

Lewis Brisbois Bisgaard & Smith LLP  
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EXHIBIT 1 PAGE 4